

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA :  
 :  
v. : CRIMINAL ACTION NO.  
 : 1:10-CR-329-JEC  
CUAHUTEMOC ESPARZA :  
HERNANDEZ :

**REPORT AND RECOMMENDATION**  
**CONCERNING PLEA OF GUILTY<sup>1</sup>**

The defendant, by consent, has appeared before me and has entered a plea of guilty to the charge in the indictment. After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, I have determined that the guilty plea was knowing and voluntary, and that the offense charged is supported by an independent basis in fact establishing each of the essential elements of such offense. I, therefore, recommend that the plea of guilty be accepted and that the defendant be adjudged guilty and have sentence imposed accordingly.

**IT IS SO RECOMMENDED** this 15th day of October, 2010.

  
C. CHRISTOPHER HAGY  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Failure to file written objections to this Report and Recommendation within *FOURTEEN* (14) days after service of this Report and Recommendation shall bar an aggrieved party from attacking such report and recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).